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Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

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Report of the Secretary-General

Addendum

I. Introduction

The present addendum contains information from nine additional replies to the request contained in paragraph 11 of General Assembly resolution 65/29, received subsequent to the submission of the main report, from Belgium, France, Madagascar, Mexico, Slovenia, Sweden, Togo, Switzerland and the International Committee of the Red Cross.[1]

II. Information received from Member States

Belgium

Belgium referred to its 2008 contribution, summarized in the report of the Secretary-General (A/63/118), and to its 2010 report, summarized in the report of the Secretary-General for the period 2008 to August 2010 (A/65/138/Add.1).

Since that report, the most noteworthy events for Belgium have been the following:

[1] The full texts of the replies are available for review on the website of the Sixth Committee of the General Assembly (http://www.un.org/ga/sixth), sixty-seventh session, "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts", report of the Secretary-General; full texts of the replies.

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- Ratification of the Second Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict on 13 October 2010;
- Intensive work on preliminary draft laws amending Belgian legislation on the implementation of international humanitarian law, including with respect to the protection of emblems; cooperation with the International Criminal Court and the international criminal tribunals; and ratification, on 11 June 2010, of the amendments to the Rome Statute of the International Criminal Court, adopted at the Kampala Conference of 31 May 2010; all of these drafts have been submitted to the Government;
- Preparations for and active participation in the thirty-first International Conference of the Red Cross and Red Crescent, including on matters related to the implementation of international humanitarian law;
- Organization of an international workshop on the amendments to the Rome Statute of the International Criminal Court;
- Establishment, within the framework of Belgium's Interministerial Commission for Humanitarian Law, of a preparatory mechanism for measures still to be taken with a view to implementation of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and the two Protocols thereto in the light of ratification of the Second Protocol.

Belgium is currently negotiating with a view to the conclusion of the following specific cooperation agreements:

- With the International Criminal Court: an agreement on the provisional release of detainees on Belgian territory pursuant to judgments of the Court;
- With the Special Court for Sierra Leone: an agreement for the relocation of witnesses and an agreement on the enforcement of sentences are under negotiation.

France

The four Geneva Conventions of 1949 came into force in France in 1951.

Additional Protocols I, II and III to the Geneva Conventions were ratified by France in 2001 (I), 1984 (II) and 2009 (III), respectively.

As part of its implementation of international humanitarian law, the Government of France regularly makes pledges, individually or in conjunction with the national Red Cross Society, at the International Conference of the Red Cross and Red Crescent Movement held every four years.

With respect to the enhancement of protection for emblems, the Criminal Code criminalizes the use of "a document establishing an official capacity or of an insignia regulated by public authority". French legislation is currently being amended with a view to better protecting the emblems of the International Red Cross and Red Crescent Movement.

A bill that includes various provisions relating to criminal matters and criminal procedure aimed at implementing France's international commitments is currently being reviewed by the Senate.

In 2010, the General Staff of the Armed Forces adopted a directive, which sets out the details and functioning of the National Information Bureau for prisoners of war.

The National Information Bureau was made operational on the first day of the military operation in Libya, on 18 March 2011.

France has taken note of the ICRC study on customary humanitarian law. Although the study constitutes a useful doctrinal work, it could not be used as such against States.

France attaches particular importance to the integration of civilian protection into the mandates of United Nations peacekeeping operations and to the genuine mainstreaming of such protection into the various activities of the United Nations.

France, inter alia, actively participates in the United Nations Security Council informal expert group on the protection of civilians.

France undertook the development of a national strategy on the protection of civilians in armed conflict; implementation of the strategy is currently under way.

Within the Ministry of Defence, the Office of the Law of Armed Conflict is responsible for the dissemination of international humanitarian law. It has produced several pedagogical tools, such as a manual on the law of armed conflict, which was updated in May 2012, and an interactive CD-ROM on international humanitarian law; and is involved in training legal advisers, whose duty is to advise military commanders. To that end, a two-week training course is held annually on the law of armed conflict, several of which are led by representatives of the International Committee of the Red Cross (ICRC). Every introductory military training course includes instruction on the law of armed conflict. Training courses at the International Institute of Humanitarian Law in San Remo, Italy, and at the NATO School in Oberammergau, Germany, are also offered as a complement to the annual training course organized for the Ministry of Defence.

French law recalls the obligation of the military forces to respect and understand international humanitarian law. The Government of France recognizes the status of and the role played by the French Red Cross as an auxiliary to the public authorities, as provided for in the statutes of the International Red Cross and Red Crescent Movement. At the thirty-first International Conference of the Red Cross and Red Crescent, France and the French Red Cross made a joint pledge, in which they recognized the importance of establishing targeted cooperation based on dialogue and trust.

The National Consultative Commission on Human Rights is a French national institution for the promotion of human rights and international humanitarian law that provides the Government of France with advice and proposals on these issues. The Commission has established a working group on instruction in international humanitarian law with a view to incorporating the topic into school curriculums.

The Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954 and the First Protocol to the Convention were ratified by France in 1957. France has not signed the Second Protocol.

France has adopted a set of regulations that enable it to identify property that should be protected on the grounds of its historic, artistic or archaeological interest,

irrespective of a situation of armed conflict. France is considering compiling an individual inventory for the implementation of the Convention, since the current national inventory appears to be too large.

France does not presently use the distinctive emblems proposed by the Convention to protect cultural property.

French criminal law establishes various penalties for the destruction, the degradation or the deterioration of another person's property, deliberately directing attacks against buildings dedicated to the purposes of religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick or wounded are collected, as well as for using unduly, in violation of the laws and customs of war, the distinctive markings and emblems established by international conventions to ensure respect for the persons, the property and the locations protected by these conventions.

With regard to dissemination, the Ministry of Defence has developed educational materials on the protection of cultural property by the military during field operations.

Regarding the First Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954, the protection of cultural property from exportation has long been under special protection in France.

France has been a party to the Convention on the Rights of the Child of 20 November 1989 since 1990 and to its Optional Protocol of 25 May 2000 since 2003.

The amendments made by France to its legislation demonstrate its strong commitment to promoting and protecting the rights of the child. The French Criminal Code criminalizes as war crimes the violations of the rights of minors during armed conflicts.

France has also ratified the Rome Statute of the International Criminal Court, which establishes as a war crime the act of conscripting or enlisting children under the age of 15 years into the armed forces or armed groups or of using them to participate in hostilities.

France led the initiative to establish the Security Council Working Group on Children and Armed Conflict in 2005 and chaired the Group through 2009, supported relevant resolutions and proposed the organization of the conference entitled "Free Children from War", which it hosted in Paris together with the United Nations Children's Fund (UNICEF) in February 2007. The ministerial meeting resulted in the adoption of the Paris Commitments and the Paris Principles, which set out concrete measures aimed at preventing child recruitment, combating impunity, protecting children and reintegrating former child soldiers into their families or communities. Every year, France and UNICEF organize a follow-up forum on the Paris Commitments. France also played an instrumental role in the adoption by the European Union in 2003 of guidelines on children and armed conflict; this led to the development of an implementation strategy targeting 19 priority countries, which was revised in December 2010.

Lastly, France supported a regional conference in this field held in Ndjamena in June 2010.

France was among the first 25 States to have ratified the Protocol on the Explosive Remnants of War (Protocol V) to the 1980 Convention on Certain Conventional Weapons and actively supports its universal ratification and swift and effective implementation. In 2011, the Government promulgated Joint Service Publication on explosive remnants of war and is also involved in a number of cooperation and assistance activities.

Having ratified the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (the Ottawa Convention), in 1998, France supports its universal ratification and has fulfilled its commitments under the Ottawa Convention in an exemplary manner. France is also implementing a national mine action strategy.

France was actively involved in the drafting of the Convention on Cluster Munitions and submitted its instruments of ratification to the United Nations Secretariat in 2009. France promotes this Convention, as well as the Ottawa Convention, by encouraging non-State parties to undertake ratification.

Prior to the entry into force of the treaty, France announced in 2008 that it would end the active use of this type of weapon. France meets its obligations assumed under the Convention in terms of transparency by transmitting information on its implementation to the Secretary-General of the United Nations. In recent years, its actions have been focused on the countries and regions most affected by this scourge, in particular francophone Africa.

France deposited its instrument of ratification of the Rome Statute of the International Criminal Court in 2000 and in 2002 established the framework for cooperation between France and the Court. The Government decided to enhance and amend its criminal legislation by submitting a bill to the Parliament that would thoroughly incorporate into French law all of the crimes and offences relevant to the Court.

A specialized division was established at the High Court of Paris on crimes against humanity, war crimes and crimes of torture in order to strengthen the investigative capacity for such crimes.

The International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (ICTR) contacted the French authorities in order to refer the cases of two accused persons to the French courts. France agreed to their prosecution. Sub-prefect Dominique Ntawukuriryayo, who had been the subject of an arrest warrant, was also extradited to the Tribunal by France in 2008. In 2003, France concluded an agreement with the United Nations on the enforcement of prison sentences imposed by the Tribunal within French territory.

France has consistently cooperated with the International Criminal Court for Rwanda not only for the identification and tracing of witnesses in French territory, the collection of testimonies and evidence and the shipment of documents, but also for the arrest and transfer of indictees. In early June 2012, 22 were being investigated by the High Court of Paris.

French officials have given testimony on numerous occasions since the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. An agreement was signed with the Tribunal in 1999 to allow protected witnesses to be admitted to French territory. Several persons convicted by the Tribunal are currently serving their sentences in French prisons. Lastly, France contributed to the collection of testimony by victims and their families who were residing on French territory.

France contributed approximately 6.5 million euros to the international component of the Extraordinary Chambers in the Courts of Cambodia between 2005 and 2010, and its contribution for 2011 totalled 500,000 euros, making it the fifth largest donor. France provides financial support to Avocats Sans Frontières and to the MAÂT Project, organizations that have agreed to work pro domo with the civil plaintiffs in the first two trials. Ten French experts are employed by the Extraordinary Chambers, making France the largest provider of human resources. France co-chairs with Japan the "group of friends of the Tribunal".

The Special Court for Sierra Leone has also benefited from contributions from France.

Madagascar

Following its ratification of the four Geneva Conventions and the Additional Protocols thereto, Madagascar ratified various conventions and treaties on international humanitarian law, including:

- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Rome Statute of the International Criminal Court.

The Ministry of Justice has also drafted a bill on terrorism and transnational organized crime and a bill authorizing the ratification of the Rome Statute.

These bills have not yet been adopted owing to the situation in the country. Madagascar currently plans to ratify several treaties and conventions and to support the preparation of bills by members of the National Commission for International Humanitarian Law who are technical specialists from various ministries or representatives of civil society.

The National Commission for International Humanitarian Law has been functioning since 2007. Its mission is to implement and disseminate international humanitarian law throughout the country.

The Commission's programme of work comprises:

- The organization of a regional workshop on the dissemination of international humanitarian law and the establishment of a regional branch; three such regional commissions have been established since 2010;

- The provision of continuing training for individuals responsible for implementation of international humanitarian law, particularly in the leading universities;
- The establishment of an ad hoc committee made up of all stakeholders, including members of civil society, with a view to drafting a bill on the implementation of ratified treaties.

The establishment of an international fact-finding commission, as called for in article 90 of Additional Protocol I to the Geneva Conventions of 1949, could be envisaged, if the dissemination of international humanitarian law is stepped up throughout the country.

Madagascar has made it a priority to integrate treaties and conventions into domestic law.

The international instruments relating to war crimes, genocide and crimes against humanity have not yet been ratified by Madagascar. The investigation and the prosecution of the perpetrators of these crimes do not fall under national jurisdiction.

The Act on torture and other cruel, inhuman or degrading punishment or treatment has been in force since 2008.

Madagascar attaches importance to finalizing its accession to all treaties that have not yet been ratified in order to enhance its capacity to implement the provisions on international humanitarian law.

An inventory of cultural property is currently being conducted. There are no plans to ratify instruments relating to cultural property.

Madagascar ratified the Convention on the Rights of the Child.

Madagascar is currently drafting its initial report and periodic reports on its implementation of the following Optional Protocols to the Convention on the Rights of the Child:

- Optional Protocol on the involvement of children in armed conflict;
- Optional Protocol on the sale of children, child prostitution and child pornography.

The preparation of these reports is the responsibility of the Drafting Committee, an interministerial committee that works with civil society organizations, with financial support from partners such as the United Nations Children's Fund and the Office of the United Nations High Commissioner for Human Rights.

Mexico

Mexico is a State party to the four Geneva Conventions of 1949 and Protocols I and III. Mexico is also a State party to other international humanitarian law instruments, including, inter alia, the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the two Protocols thereto; and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

Mexico fulfils its international obligations under these treaties by engaging in a range of activities designed to disseminate international humanitarian law and promote its implementation at the national level.

Mexico established the Interministerial Commission on international humanitarian law (CIDIH-Mexico), the federal Government's advisory and technical body on that subject, in 2009.

One of the major dissemination activities of the Commission relating to international humanitarian law has been the organization, since 2010, of an annual national specialized course on international humanitarian law.

The Commission also supports the harmonization of national legislation with the international humanitarian law instruments. In October 2011, the Commission completed draft amendments aimed at harmonizing the definitions of offences contained in federal criminal legislation with those of international crimes set out in the pertinent international humanitarian law instruments.

Furthermore, since the end of 2011, the Commission has been preparing draft implementing regulations on the Act Governing the Use and Protection of the Red Cross Designation and Emblem (in force since 2007).

The Commission also took part in various international meetings on the strengthening of international humanitarian law, including: (i) the regional seminar entitled "Reclaiming the protection of civilians under international humanitarian law", held in 2011 in Buenos Aires and sponsored by the Governments of Argentina and Norway; (ii) the regional seminar of national committees for international humanitarian law on the protection of cultural property in times of armed conflict, held in San Salvador in 2011, and sponsored by ICRC; and (iii) the Special Meeting on international humanitarian law, organized by the Committee on Juridical and Political Affairs of the Organization of American States and held in Washington, D.C., in 2012.

Mexico was an active participant in the thirty-first International Conference of the Red Cross and Red Crescent, in 2011 in Geneva, and submitted four pledges for the period 2011-2015, including, inter alia, to continue to strengthen, promote and foster respect for international humanitarian law and to promote the adoption of legislative measures in order to meet outstanding commitments under international humanitarian law and the Rome Statute of the International Criminal Court. Mexico also supported Switzerland's proposal on identifying ways to strengthen the implementation of international humanitarian law.

Slovenia

Since 1992, the Republic of Slovenia has become party to all key conventions and other instruments of international humanitarian law and adopted a number of national regulations that needed to be harmonized with international humanitarian law instruments ratified by Slovenia. During this period, Slovenia has carried out organizational and institutional adaptation of its authorities and institutions, thus enabling them to carry out relevant tasks and commitments. It has also endeavoured to continuously and systematically disseminate knowledge in the field of international humanitarian law. In April 1999, the Interministerial Commission on international humanitarian law was established.

After joining the United Nations, the Republic of Slovenia, through the notification of succession, became a party to international humanitarian law instruments ratified by the former Socialist Federal Republic of Yugoslavia. Between 1992 and 2010 the country ratified all key international humanitarian law instruments (35 in total).

Since the last periodic report (of June 2010), the 2008 Convention on Cluster Munitions has entered into force in Slovenia (in 2010). In February 2012, Slovenia signed the Third Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure.

An amended Criminal Code, which entered into force in May 2012, regulates the following:

(a) The scope of the legal definition of war crime is extended to include a ban on the use of poison, gas and expanding bullets also in non-international conflicts;

(b) The definition of the crime of aggression is amended and the crime is now defined as *delictum proprium* (may be committed only by a person in a top position); the definition is now in line with the amended Rome Statute of the International Criminal Court, and will enable the ratification of the amendments to the Rome Statute;

(c) The definition of the crime of terrorism is amended in line with the 2005 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf;

(d) The definition of the crime of trafficking in human beings has been amended to include the trafficking in human beings for the purpose of their subsequent involvement in criminal activity;

(e) The crime of torture is transferred to the chapter on criminal offences against human rights and liberties.

A new EUROJUST Genocide Network contact point was appointed at the Supreme State Prosecutor's Office.

In October 2010, the Act amending the Act on Slovenian Red Cross was adopted, which regulates the use and protection of the international distinctive emblem of the red crystal pursuant to Protocol III to the Geneva Conventions.

Between 2010 and 2012, several seminars on the application of the rules of engagement of the Slovenian Armed Forces in international operations were carried out for the Slovenian contingent deployed in the International Security Assistance Force mission in Afghanistan. All members of the Slovenian Armed Forces taking part in international peace operations attended special courses on international humanitarian law, nature and cultural heritage protection, religion and customs in international peace support operations and other crisis response operations.

All police officers taking part in international peace operations and missions have to attend a special seminar on international humanitarian law. Other members of the police force are acquainted with the basic principles of international humanitarian law and supplied with a booklet on international humanitarian standards governing the use of force, which also refers to human rights.

The country has been participating in the ICRC project "Exploring humanitarian law". The pilot project for the inclusion of international humanitarian law topics into curricula of elementary and general secondary schools (compulsory teaching contents) has been finalized. Exploring humanitarian law is an international educational programme for students of the ages from 13 to 18. It is composed of a series of research pieces that are aimed at improving the understanding of humanitarian issues connected to conflict situations. The National Education Institute, in collaboration with the Slovenian Red Cross, the Interministerial Commission on international humanitarian law and teachers, published the Slovenian version of a methodological teacher handbook entitled "Exploring Humanitarian Law". International humanitarian law issues are also part of curricula of secondary health-care schools, law faculties and the Faculty of Social Sciences in Ljubljana.

A monograph entitled "International Law and Armed Conflict" was prepared at the Ljubljana Faculty of Law, and, in 2011, the book *Local Criminals — Universal Criminals (Responsibility to Protect)* was published.

Students of the Ljubljana Faculty of Law attended a one-week regional course on international humanitarian law in Belgrade in 2010 and 2011. They also took part in international student moot courts, which place an ever greater emphasis on international humanitarian law issues, and regional international humanitarian law competitions.

As a member of the UNICEF Executive Board between 2009 and 2010, Slovenia endeavoured for the full implementation of United Nations recommendations on protecting children in armed conflict, and active cooperation between UNICEF and the Special Representative for Children and Armed Conflict of the Secretary-General.

At the request of the Office of the United Nations High Commissioner for Human Rights, the Slovenian Red Cross compiled relevant information on the use of forensic genetics in the identification of victims of serious violations of human rights and international humanitarian law. Furthermore, a project for promoting knowledge on international humanitarian law for members of Red Cross societies is under way.

The Interministerial Commission on international humanitarian law was established in 1999. The Commission develops, harmonizes and manages activities for the implementation of commitments of Slovenia in the field of international humanitarian law, in particular the Geneva Conventions of 1949 and the 1997 Additional Protocols thereto, as well as the dissemination of international humanitarian law knowledge at the national level.

In 2010 and 2011, the primary task of the Commission was the fulfilment of commitments arising from the ratification of international humanitarian law instruments, their incorporation into national legislation and the implementation of initiatives taken by ICRC and of 2009 European Union (EU) guidelines on human rights and international humanitarian law. The Commission's regular international activities include cooperation with ICRC and the EU Working Group on International Law (which regularly addresses international humanitarian law), as well as participation at international conferences.

In 2010, the Commission established a task force for coordinating work of ministries in the implementation of the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict and its Second Protocol, and other similar international instruments.

Slovenian representatives participated in the third universal meeting of National Committees for the implementation of international humanitarian law in 2010 in Geneva and the celebrations of the fortieth anniversary of the International Institute of Humanitarian Law in San Remo in 2010.

At the thirty-first International Conference of the Red Cross and Red Crescent in 2011 in Geneva, the representatives of the Slovenian Government and Red Cross supported all six pledges submitted and coordinated by the EU member States. These concern the issues of missing persons, the International Criminal Court, international humanitarian law instruments, the promotion of international humanitarian law, basic procedural and other guarantees, and land mines, cluster munitions, improvised explosive devices and unexploded ordnance. Together with national Red Cross committees, the EU member States made a pledge to reinforce international humanitarian law by concluding an effective arms trade treaty.

Sweden

Sweden has been a party to the first and second Protocols Additional to the Geneva Conventions since 1979. The Swedish Government has signed the third Protocol Additional to the Geneva Conventions and is currently in the process of preparing for ratification.

The Swedish Government ratified the Convention on Cluster Munitions on 23 April 2012 and the Convention will be in force in Sweden as of 1 October 2012.

Sweden participated actively in the thirty-first International Conference of the Red Cross and Red Crescent in 2011 and welcomed the adoption of the resolutions of the conference. Sweden submitted pledges in the following areas:

(i) Joint pledge with Switzerland and other States: the initiative by Switzerland to improve implementation of international humanitarian law;

(ii) Joint pledge on international humanitarian law and gender, with several of the Nordic countries and Nordic national societies;

(iii) Joint pledge on neutral and independent humanitarian assistance (NIIHA): the Nordic Governments and the Nordic National Red Cross Societies;

(iv) Protection of the natural environment: the Nordic Governments and the Nordic National Red Cross Societies.

Sweden also submitted pledges in the areas of migration (joint pledge by the Swedish Government and the Swedish National Red Cross Societies) and international disaster response laws.

Pledges on the following topics were also submitted jointly by the EU and its member States (including Sweden): Arms Trade Treaty, missing persons, International Criminal Court, national implementation, promotion and development of international humanitarian law, procedural guarantees, anti-personnel mines and Convention on Cluster Munitions.

The report of the Committee on International Law in Armed Conflict entitled "International law in armed conflict — Swedish interpretation and practice" was submitted to the Minister of Defence in 2010. The report contains a survey and an analysis of the implementation of international humanitarian law in Sweden. As a separate appendix to the report the Committee also presented a draft manual on international humanitarian law, which was produced to meet needs at the operational level and to provide guidance on military decision-making.

A specific task for the Committee was to analyse the content of the rules of customary international humanitarian law, including the conclusions as presented by the ICRC in its study of customary international humanitarian law of 2005. The Committee thinks that the ICRC customary law study is a valuable compilation of the contents of customary international humanitarian law and the Committee proposes that Sweden should promote acceptance of the rules as identified in the study. The Government is currently in the process of evaluating the proposals made by the Committee.

In 2011, the Committee for international humanitarian law, established by the Swedish Government in 1991 under the Ministry of Defence, celebrated its twentieth anniversary. The purpose of the Committee is to examine the development of international humanitarian law, act as a venue for discussion and disseminate knowledge of international humanitarian law and the application of international humanitarian law within the armed forces and other governmental agencies. The Committee furthermore promotes and publishes studies of international law.

A national seminar on international humanitarian law was organized by the Swedish Government to discuss the challenges of international law in today's armed conflicts.

Sweden made a financial contribution in 2009 to the Swedish Red Cross for the development of teaching materials in international humanitarian law. In 2010 the teaching materials in international humanitarian law were published by the Swedish Red Cross and became available to teachers as part of a launch to improve the dissemination of international humanitarian law in peace time. Parts of the teaching materials can be accessed through the website http://narkrigetdrabbar.se/.

Sweden contributed financially to a number of international humanitarian law-related activities, among those, support for the international criminal tribunals for the former Yugoslavia and for Rwanda, the Special Court for Sierra Leone and the International Criminal Court. The International Institute of Humanitarian Law in San Remo and the International Humanitarian Fact-Finding Commission also receive annual contributions.

A workshop on international humanitarian law and gender was organized by Sweden and the Swedish Red Cross, in cooperation with the Australian Government and the Australian Red Cross, in 2011.

Switzerland

Switzerland has pursued its commitment bilaterally and in multilateral forums to secure greater respect for international humanitarian law. It has also continued its efforts to promote universal ratification of the Protocols Additional to the Geneva Conventions of 1949.

Within the framework of the thirty-first International Conference of the Red Cross and Red Crescent, Switzerland made 12 pledges to strengthen international humanitarian law.

In this context, Switzerland launched a diplomatic initiative to strengthen observance of international humanitarian law in collaboration with ICRC, which aims to explore and identify concrete ways and means of strengthening observance of international humanitarian law, including the issue of implementation mechanisms.

Switzerland signed the Convention on Cluster Munitions in 2008. Ratification by Switzerland was expected to take place in July 2012, subject to the result of an anticipated referendum. The Convention and related legislation would then come into effect at the start of 2013.

Switzerland actively supports the Anti-personnel Mine Ban Convention. In 2011, Switzerland assumed the office of co-chair of the Standing Committee on Mine Clearance and Related Technologies with Colombia. Switzerland hosted the Tenth Meeting of the States Parties, in Geneva in November 2010, and will support the Twelfth Meeting of the States Parties, in Geneva in December 2012, by serving as Secretary-General of the Meeting.

Switzerland has amended its Penal Code in accordance with the Rome Statute of the International Criminal Court. These legislative amendments came into effect in 2011. Switzerland has begun the ratification process of the amendments discussed at the Kampala Review Conference.

Switzerland is currently in the process of disseminating the Montreux Document on pertinent international legal obligations and good practices for States related to the operations of private military and security companies during armed conflict.

Switzerland has published two complementary manuals on humanitarian access.

Switzerland funded research on the principles that should govern dialogue with armed groups, the results of which were published in 2011. It is currently supporting a study on the reaction of armed groups to norms that govern the protection of civilians.

Switzerland actively participated in the work of the Preparatory Committee for the United Nations Conference on the Arms Trade Treaty and is continuing its efforts within the framework of the Conference.

Switzerland has developed a strategy for the protection of civilians in armed conflict for the period 2009-2012, to better respond to the needs and rights of civilians in armed conflict.

Togo

With regard to the protection of refugees, Togo has, inter alia,

- Ratified the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa in 2011; the 1954 Convention

relating to the Status of Stateless Persons; and passed an Act on the protection of refugees in Togo in 2000.

Togo established the Coordination nationale d'assistance aux refugiés, a national refugee agency, in 1994 and provided assistance to refugees in various forms.

In 1992, an international humanitarian law follow-up committee was set up and undertook a number of projects and actions in collaboration with ICRC. Since then, officers have been sent to various destinations for international humanitarian law training (in Africa and San Remo, Italy) and several national training for trainers seminars have been launched.

Joint evaluation visits, during which teaching materials are distributed, are regularly organized in garrisons, training centres and schools.

International humanitarian law was included in training programmes and exercises for Togolese military personnel. Since 1996 the Togolese armed forces have published three manuals on the law of armed conflict.

Act No. 99-010 of 1999 concerns the protection and use of the emblem of the Red Cross and the Red Crescent.

For more than two decades, all multinational military manoeuvres organized by the Togolese armed forces have included a significant humanitarian element. In addition, the Togolese armed and security forces always act, within their means, to help the local population. The Togolese armed forces therefore focuses on the key areas of prevention, protection and assistance.

During troop cantonment in training centres prior to deployment to peacekeeping operations, meetings are planned and sometimes conducted jointly by representatives of ICRC in Lomé and the Monitoring Committee.

In 2006 an agreement was reached between Togo and the International Red Cross and Red Crescent Movement concerning the humanitarian activities of ICRC to assist persons deprived of their liberty. Since then, ICRC has been free to visit places of detention throughout Togo.

In 2010, the ICRC Lomé delegation met with the Chief of the General Staff of the Togolese armed forces and the international humanitarian law Monitoring Committee in Lomé to present new manuals.

With regard to the status of signature and ratification of international instruments of humanitarian law, it is clear that Togo is lagging behind, owing to the social and political unrest that the country has been experiencing for the last two decades. Nevertheless, the desire to comply with those instruments is there: the political leadership is working on it.

With regard to the dissemination of the law of armed conflict, plans are being drawn up for awareness days for the military high command and the troops.

The international humanitarian law workshops for the military high command will take place; for the military troops, the regular international humanitarian law training and preparatory sessions will continue; a training video will soon be available to training and education centres; open-house days for the civilian population organized by the Togolese armed forces in 2011 will continue.

With regard to legal measures, policy guidelines were adopted for international humanitarian law dissemination and training. Measures will include, inter alia, revitalizing the Togolese Interministerial Committee on international humanitarian law to enable the ratification of international humanitarian law treaties to be brought up to date; further dissemination of the texts of the Geneva Conventions of 1949 and the Additional Protocols; supplementing military criminal legislation; and training judges, magistrates, Members of Parliament and other public officials, as well as politicians and civil society.

Togo has not signed or ratified the International Criminal Court Rome Statute. However, with regard to the Geneva Conventions and additional Protocols I and II thereto, articles 10 to 50 of the Constitution of the Fourth Republic cover citizens' rights and international humanitarian law.

In 2010, Togo ratified the 2002 Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In 2010, sessions were held for media and press journalists from Togo to raise awareness of international humanitarian law and activities to implement the treaties. A session was also held in collaboration with ICRC for some 20 Togolese political leaders to raise awareness of universal humanitarian principles.

In recent years, Togo signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (in 2001); and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (in 2009).

III. Information received from international organizations

International Committee of the Red Cross

ICRC submitted an addendum to its contribution to the report of the Secretary-General (A/67/182), as requested in paragraph 11 of General Assembly resolution 65/29.

Annex

List of States parties to Additional Protocol III of 8 December 2005 as of 30 August 2012

State	*Signature*	*Ratification/ accession*	*Reservation/ declaration*
Afghanistan			
Albania		06/02/2008	
Algeria			
Andorra			
Angola	14/03/2006		
Antigua and Barbuda			
Argentina	13/03/2006	16/03/2011	04/08/2011
Armenia		12/08/2011	
Australia	08/03/2006	15/07/2009	
Austria	08/12/2005	03/06/2009	
Azerbaijan			
Bahamas			
Bahrain			
Bangladesh			
Barbados			
Belarus		31/03/2011	
Belgium	08/12/2005		
Belize		03/04/2007	
Benin			
Bhutan			
Bolivia (Plurinational State of)	08/12/2005		
Bosnia-Herzegovina	14/03/2006		
Botswana			
Brazil	14/03/2006	28/08/2009	

State	*Signature*	*Ratification/ accession*	*Reservation/ declaration*
Brunei Darussalam			
Bulgaria	14/03/2006	13/09/2006	
Burkina Faso	07/12/2006		
Burundi	08/12/2005		
Cambodia			
Cameroon			
Canada	19/06/2006	26/11/2007	26/11/2007
Cape Verde	10/01/2006		
Central African Republic			
Chad			
Chile	08/12/2005	06/07/2009	
China			
Colombia	08/12/2005		
Comoros			
Congo	08/12/2005		
Cook Islands		07/09/2011	
Costa Rica	08/12/2005	30/06/2008	
Côte d'Ivoire			
Croatia	29/05/2006	13/06/2007	
Cuba			
Cyprus	19/06/2006	27/11/2007	
Czech Republic	12/04/2006	23/05/2007	
Democratic People's Republic of Korea			
Democratic Republic of the Congo			
Denmark	08/12/2005	25/05/2007	
Djibouti			
Dominica			

State	*Signature*	*Ratification/ accession*	*Reservation/ declaration*
Dominican Republic	26/07/2006	01/04/2009	
Ecuador	08/12/2005		
Egypt			
El Salvador	08/03/2006	12/09/2007	
Equatorial Guinea			
Eritrea			
Estonia	14/03/2006	28/02/2008	
Ethiopia	13/03/2006		
Fiji		30/07/2008	
Finland	14/03/2006	14/01/2009	
France	08/12/2005	17/07/2009	
Gabon			
Gambia			
Georgia	28/09/2006	19/03/2007	
Germany	13/03/2006	17/06/2009	
Ghana	14/06/2006		
Greece	08/12/2005	26/10/2009	
Grenada			
Guatemala	08/12/2005	14/03/2008	
Guinea			
Guinea-Bissau			
Guyana		21/09/2009	
Haiti	06/12/2006		
Holy See			
Honduras	13/03/2006	08/12/2006	
Hungary	19/06/2006	15/11/2006	
Iceland	17/05/2006	04/08/2006	

State	*Signature*	*Ratification/ accession*	*Reservation/ declaration*
India			
Indonesia			
Iran (Islamic Republic of)			
Iraq			
Ireland	20/06/2006		
Israel	08/12/2005	22/11/2007	22/11/2007
			05/11/2008
Italy	08/12/2005	29/01/2009	
Jamaica	05/12/2006		
Japan			
Jordan			
Kazakhstan		24/06/2009	
Kenya	30/03/2006		
Kiribati			
Kuwait			
Kyrgyzstan			
Lao People's Democratic Republic			
Latvia	20/06/2006	02/04/2007	
Lebanon			
Lesotho			
Liberia			
Libya			
Liechtenstein	08/12/2005	24/08/2006	
Lithuania	06/12/2006	28/11/2007	
Luxembourg	08/12/2005		
Madagascar	08/12/2005		
Malawi			

State	*Signature*	*Ratification/ accession*	*Reservation/ declaration*
Malaysia			
Maldives			
Mali			
Malta	08/12/2005		
Marshall Islands			
Mauritania			
Mauritius			
Mexico	16/11/2006	07/07/2008	
Micronesia (Federated States of)			
Monaco	15/03/2006	12/03/2007	
Mongolia			
Montenegro			
Morocco			
Mozambique			
Myanmar			
Namibia			
Nauru	27/06/2006		
Nepal	14/03/2006		
Netherlands	14/03/2006	13/12/2006	13/12/2006
New Zealand	19/06/2006		
Nicaragua	08/03/2006	02/04/2009	
Niger			
Nigeria			
Niue			
Norway	08/12/2005	13/06/2006	
Oman			
Pakistan			

State	*Signature*	*Ratification/ accession*	*Reservation/ declaration*
Palau			
Panama	19/06/2006	30/04/2012	
Papua New Guinea			
Paraguay	14/03/2006	13/10/2008	
Peru	08/12/2005		
Philippines	13/03/2006	22/08/2006	
Poland	20/06/2006	26/10/2009	
Portugal	08/12/2005		
Qatar			
Republic of Korea	02/08/2006		
Republic of Moldova	13/09/2006	19/08/2008	19/08/2008
Romania	20/06/2006		
Russian Federation	07/12/2006		
Rwanda			
Saint Kitts and Nevis			
Saint Lucia			
Saint Vincent and the Grenadines			
Samoa			
San Marino	19/01/2006	22/06/2007	
Sao Tome and Principe			
Saudi Arabia			
Senegal			
Serbia	31/03/2006	18/08/2010	
Seychelles			
Sierra Leone	20/06/2006		
Singapore	02/08/2006	07/07/2008	
Slovakia	25/04/2006	30/05/2007	

State	*Signature*	*Ratification/ accession*	*Reservation/ declaration*
Slovenia	19/05/2006	10/03/2008	
Solomon Islands			
Somalia			
South Africa			
South Sudan			
Spain	23/12/2005	10/12/2010	
Sri Lanka			
Sudan			
Suriname			
Swaziland			
Sweden	30/03/2006		
Switzerland	08/12/2005	14/07/2006	
Syrian Arab Republic			
Tajikistan			
Thailand			
The former Yugoslav Republic of Macedonia	18/05/2006	14/10/2008	
Timor-Leste	08/12/2005	29/07/2011	
Togo	26/06/2006		
Tonga			
Trinidad and Tobago			
Tunisia			
Turkey	07/12/2006		07/12/2006
Turkmenistan			
Tuvalu			
Uganda		21/05/2008	
Ukraine	23/06/2006	19/01/2010	
United Arab Emirates			
United Kingdom of Great Britain and Northern Ireland	08/12/2005	23/10/2009	15/06/2011

State	*Signature*	*Ratification/ accession*	*Reservation/ declaration*
United Republic of Tanzania	08/12/2005		
United States of America	08/12/2005	08/03/2007	
Uruguay	13/03/2006		
Uzbekistan			
Vanuatu			
Venezuela (Bolivarian Republic of)			
Viet Nam			
Yemen			
Zambia			
Zimbabwe			
	States signatories	**States parties**	
	84	**60**	

Source: Swiss Federal Department of Foreign Affairs, http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic/gvapr3.html.